

ATTORNEY DOCKET NO. 2001180-0075 (HU1917-01 CIP)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Schreiber, <i>et al.</i>	Examiner:	TBA
Serial No.:	TBA	Art Unit:	TBA
Filing Date:	July 17, 2003		
Title:	DIOXANES AND USES THEREOF		

Mail Stop Patent Application
Commissioner For Patents
P. O. Box 1450
Alexandria, VA 22313

Sir:

STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Type of Statement

The present Information Disclosure Statement is:

- ☒ [X] An *original* Information Disclosure Statement; or
- ☐ [] A *supplemental* Information Disclosure Statement.

Compliance with 37 CFR § 1.97

The present Information Disclosure Statement is being filed:

☒ Pursuant to 37 CFR § 1.97(b); no fee or certification is required:

☒ Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);

☐ Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;

☐ Before the mailing of a first Office action on the merits; or

☐ Before the mailing of a first Office action after the filing of a request for continued examination under § 1.114.

☐ Pursuant to 37 CFR § 1.97(c) after the dates listed above but before the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *either*:

☐ Certifies that *either*:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making

reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; or

☐ Includes herewith the fee set forth in § 1.17(p).

☐ Pursuant to 37 CFR § 1.97(d), after the mailing date of any of a final action under § 1.113, a notice of allowance under § 1.311, or an action that otherwise closes prosecution in the application; Applicant hereby *both*:

☐ Certifies that *either*:

☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement; or

☐ That no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.; and

Content of the Information Disclosure Statement

Applicant hereby makes of record in the above-identified application the reference(s) listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

Applicant includes copies of references as indicated below:

- ☒ A copy of each cited reference not indicated with an asterisk is included;
- ☒ Copies of references indicated with an asterisk on the attached form PTO-1449 are not included pursuant to 37 CFR § 1.98(d) because they were previously provided to the United States Patent Office in an Information Disclosure Statement that complies with 37 CFR § 1.98(a)-(c) and was submitted in the following patent application that is relied upon in the present case for an earlier effective filing date under 35 USC § 120:

Serial Number	Filing Date	Status
10/144,316	May 9, 2002	Pending

- ☐ Copies of English translations of one or more non-English references are included.

Applicant hereby makes the following additional information of record in the above-identified application:

Applicant certifies that the Information Disclosure Statement *either*:

- ☐ Does not contain non-English language citations;
- ☐ Does contain non-English language citations, of which the following is a concise explanation:

[] Includes one or more translations of a non-English citation.

Remarks

The submission of this Information Disclosure Statement should not be construed as a representation that a search has been made.

The submission of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56(b) .

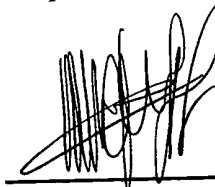
The submission of this Information Disclosure Statement shall not be construed as a representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited patent(s) and publication(s) has (have) been fully considered by the Patent and Trademark Office during the examination of this application; and
3. The citations for the patent(s) and publication(s) be printed on any patent which issues from this application.

Notwithstanding any statements by Applicants, the Examiner is urged to form his or her own conclusions regarding the relevance of the cited reference(s).

Respectfully submitted,



Nadège M. Lagneau, Ph.D.
Reg. No. 51,908

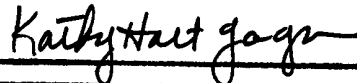
Dated: July 17, 2003

PATENT GROUP
CHOATE, HALL & STEWART
Exchange Place
53 State Street
Boston, Massachusetts 02109
Tel: (617) 248-5000
Fax: (617) 248-4000

CERTIFICATE OF MAILING

"Express Mail" mailing label number EL603010811US
Date of Deposit: 7/17/03

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Address" service under 39 CFR 1.10 on the date indicated above and is addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Form PTO-1449 (REV. 8-83)		U.S. Department of Commerce Patent and Trademark Office		Atty. Docket: 2001180-0075 (HU 1917-01 CIP)		In re Application No. TBA	
INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)				Applicant: Schreiber, <i>et al</i>			
				Filing Date: July 17, 2003		Group: TBA	
U.S. PATENT DOCUMENTS							
Examiner's Initials	U.S. Patent No.	Applicant	Issue Date	Class	Subclass		
	*5,393,741	Pettersen et al.	February 28, 1995	514	23		
	*5,238,781	Schädeli	August 24, 1993	430	270		
	*5,059,698	Schulthess et al.	October 22, 1991	549	375		
	* 4,639,462	Krämer et al.	January 27, 1987	514	383		
U.S. PATENT APPLICATIONS							
Examiner's Initials:	Serial Number:	Applicant:	Filing Date:	Group:	Art Unit:		
FOREIGN PATENT DOCUMENTS							
Examiner's Initials	Document No.	Country	Date	Translation			
				Yes	No		
	* DE 3242252	Germany	May 17 1984				
	*EP 0 322 335	Europe	28 June 1989				
	*JP 9-124918	Japan	13 May 1997				
	*JP 8-311321	Japan	26 November 1996				
	*WO 00/20415	PCT	13 April 2000				
	*WO 98/16830	PCT	23 April 1998				
	*WO 97/35990	PCT	02 October 1997				
OTHER DOCUMENTS							
Examiner's Initials	Citation (Including Author, Title, Date, Pertinent Pages, Etc.)						
	*Aggarwal, et al., "Trifluoromethanesulfonic Acid, an Efficient Catalyst for the Hetero Diels-Alder Reaction and an Improved Synthesis of Mefrosol", <i>Tetrahecron Letters</i> , 38 (14):2569-2572, 1997.						
	*Antonjuk, et al., "Asymmetric Induction in the Additions of Anions of Allylic Sulfoxides to Benzaldehyde", <i>Aust J. Chem.</i> , 33 :2635-2651, 1980.						
	*Blackwell, et al., "A One-Bead, One-Stock Solution Approach to Chemical Genetics: Part 1", <i>Chemistry & Biology</i> , 8 :1167-1182, 2001.						
	*Clemons, et al., "A One-Bead, One-Stock Solution Approach to Chemical Genetics: Part 2", <i>Chemistry & Biology</i> , 8 :1183-1195, 2001.						

Form PTO-1449 (REV. 8-83)	U.S. Department of Commerce Patent and Trademark Office	Atty. Docket: 2001180-0075 (HU 1917-01 CIP)	In re Application No. TBA
INFORMATION DISCLOSURE STATEMENT <i>(Use several sheets if necessary)</i>		Applicant: Schreiber, <i>et al</i>	
		Filing Date: July 17, 2003	Group: TBA
	*Grozinger, et al., "Deacetylase Enzymes: Biological Functions and the Use of Small-Molecule Inhibitors", <i>Chemistry & Biology</i> , 9 :3-16, 2002.		
	Haggarty, et al., "Domain-selective small-molecule inhibitor of histone deacetylase 6 (HDAC6)-mediated tubulin deacetylation", <i>Proc. Natl. Acad. Sci</i> , 100 (8):4389-4394, 2003.		
	Haggarty, et al; "Multidimensional Chemical Genetic Analysis of Diversity-Oriented Synthesis-Derived Deacetylase Inhibitors Using Cell-Based Assays", <i>Chemistry & Biology</i> , 10 :383-396, 2003.		
	*Hunter, et al., "An Enantioselective Synthesis of Benzylidene-Protected syn-3, 5-Dihydroxy Carboxylate Esters via Osmium, Palladium, and Base Catalysis", <i>Org Letter</i> , 3 (7):1049-1052, 2001.		
	*Imamoto, et al., "Preparation and Synthetic Use of Trimethylsilyl Polyphosphate. A New Stereoselective Aldol-Type Reaction in the Presence of Trimethylsilyl Polyphosphate", <i>J. Org. Chem.</i> 49 :1105-1110, 1984.		
	*Imamoto, et al., "The Reaction of Aryl Methyl Ketones with Aromatic Aldehydes in Trimethylsilyl Polyphosphate (PPSE). Formation of MESO-2,4,6-Trisubstituted-5-Acyl-1,3-Dioxo", <i>Tetrahedron Letters</i> , 23 (14):1467-1470, 1982.		
	*Johnstone, R. "Histone-Deacetylase Inhibitors: Novel Drugs for the Treatment of Cancer", <i>Nature</i> , 1 :287-299, 2002.		
	Koeller, et al., "Chemical Genetic Modifier Screens: Small Molecule Trichostatin Suppressors as Probes of Intracellular Histone and Tubulin Acetylation", <i>Chemistry & Biology</i> , 10 :397-410, 2003.		
	*Kuruvilla, et al., "Dissecting Glucose Signalling with Diversity-Oriented Synthesis and Small-Molecule Microarrays", <i>Nature</i> , 416 :653-657, 2002.		
	*Lin, et al., "Generation And Aldol Reaction of Enolate Anion Adjacent to A η^3 -Allyl-Mo(CO) ₂ Cp Moiety. A New Approach to the Stereoselective Synthesis of 1,3,5-Triol and 2-Vinyl-3 Hydroxyl-Tetrahydrofuran", <i>Tetrahedron Letters</i> , 31 (52):7645-7648, 1990.		
	*Lin, et al., "Role of the Histone Deacetylase Complex in Acute Promyelocytic Leukaemia", <i>Nature</i> , 391 :811-814, 1998.		
	*Magnaghi-Jaulin, et al., "Retinoblastoma Protein Represses Transcription by Recruiting a Histone Deacetylase", <i>Nature</i> , 391 :601-604, 1998.		
	*Marks, et al., "Histone Deacetylases and Cancer: Causes and Therapies", <i>Nature Reviews/Cancer</i> , 1 :194-202, 2001.		
	*Pyne, et al., "Reactions of Lithiated N-Tosyl S-Phenyl S-2- Propenyl Sulfoximine with Aldehydes", <i>Sulfur Letters</i> , 20 (6):255-260, 1997.		
	*Schreiber, et al., "Chemical Genetics Resulting from a Passion for Synthetic Organic Chemistry", <i>Bioorganic & Medicinal Chemistry</i> , 6 :1127-1152, 1998.		
	*Schreiber, et al., "Target-Oriented and Diversity-Oriented Organic Synthesis in Drug Discovery", <i>Science</i> , 287 :1964-1969, 2000.		

